

12/9/05
J. Bobb



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/746,515
Filing Date 12/22/00
First Named Inventor John Baggs
Art Unit 2662
Examiner Name Elallam, Ahmed
Attorney Docket No. 81862.P187

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** - Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.118 previously filed on _____
(Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____

- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2686
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
- iv. ☐ Other _____

b. ☒ Check in the amount of \$ 1,240.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Daniel E. Ovanesian Registration No. (Attorney/Agent) 41,236
Signature [Signature] Date 11/1/05

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Janita Episcopo
Signature [Signature] Date 11/1/05

Express Mail No. (only if applicable): _____



1007

FEE TRANSMITTAL FOR FY 2005

(FY 2005 Begins 10/01/2004. Fee changes made on 11/22/04 and 12/08/04 are included.)

TOTAL AMOUNT OF PAYMENT (\$) \$1,240.00**Complete If Known:**Application No. 09/746,515Filing Date 12/22/00First Named Inventor John Baggs et al.Examiner Name Odland, David E.Art Unit 2662Attorney Docket No. 81862.P187

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None**Deposit Account**Deposit Account Number : 02-2666

Deposit Account Name: _____

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) Indicated below.

☒ Credit any overpayments.☒ Charge any additional fees during the pendency of this application.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

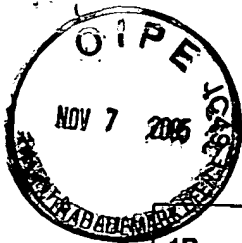
_____ Charge fee(s) indicated below except for the filing fee

FEE CALCULATION**1A. BASIC FILING FEE/SEARCH FEE/EXAMINATION FEE**

Large Entity		Small Entity		Fee Description		Fee Paid
Code	Fee (\$)	Code	Fee (\$)			
1011	300	2011	150	Utility application filing fee	} 1,000/500*	_____
1111	500	2111	250	Utility search fee		_____
1311	200	2311	100	Utility examination fee		_____
1012	200	2012	100	Design application filing fee	} 430/215*	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee	} 660/330*	_____
1113	300	2113	150	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee	} 1,400/700*	_____
1114	500	2114	250	Reissue search fee		_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____

SUBTOTAL (1) \$ _____

* List the filing, search, and examination fees separately, but pay concurrently.

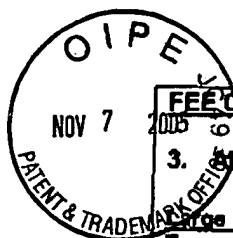


1B. APPLICATION SIZE FEE

		<u>Extra Sheets</u>		<u>Fee from</u>	<u>Fee paid</u>
Total Sheets _____ - 100 = _____		_____ / 50 = _____ * X _____		<u>below</u>	_____
		*(round up to integer)			
<u>Large Entity</u>		<u>Small Entity</u>			
Fee	Fee	Fee	Fee		
Code (\$)	Code (\$)	Code (\$)	Code (\$)		
1081	250	2081	125		
1082	250	2082	125		
1083	250	2083	125		
1084	250	2084	125		
				<u>Fee Description</u>	
				Utility application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings)	
				Design application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings)	
				Plant application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings)	
				Reissue application fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings)	
SUBTOTAL (2) \$ _____					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		<u>Extra Claims</u>		<u>Fee from</u>	<u>Fee Paid</u>
Total Claims <u>27</u>		- 27** = <u>0</u>		X <u>50.00</u>	= _____
Independent Claims <u>4</u>		- 4** = <u>0</u>		X <u>200.00</u>	= _____
Multiple Dependent					= _____
**Or number previously paid, if greater; For Reissues, see below.					
<u>Large Entity</u>		<u>Small Entity</u>			
Code (\$)	Code (\$)	Fee	Fee		
1202	50	2202	25	<u>Fee Description</u>	
1201	200	2201	100	Claims in excess of 20	
1203	360	2203	180	Independent claims in excess of 3	
1204	200	2204	100	Multiple dependent claim, if not paid	
1205	50	2205	25	**Reissue independent claims over original patent	
				**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (3) \$ _____					

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter partes reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	\$450.00
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	900	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1464	130	1460	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1463	200	1460	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1462	400	1460	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.128(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.128(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	\$790.00
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(l) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (4) \$1,240.00**SUBMITTED BY:**Typed or Printed Name: Daniel E. OvanezianSignature: [Signature]Reg. Number: 41,236Date: 11/16/05Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450